

Committee of the Whole
June 7, 2016

Present: Mayor Vulich, Council Members Gassman, Seeley, McGraw, Determann, O'Neill, Allesee, City Administrator, City Attorney, City Clerk, Press and interested citizens. Councilmember Connell – absent.

1. Request for Part-Time Nuisance Inspector Position- Chief Brown

Fire Chief Mike Brown advised the Council that this request originated from complaints from the public regarding tall grass. He stated that enforcement takes people; however, there is only one person currently responding to the complaints. He continued in stating that if it is the desire of the Council to help her out, a part-time nuisance inspector would need to be hired. He further stated that the Building and Neighborhood Services Department had someone in 2011 who devoted their time strictly to weeds and tall grass. He proceeded to state that there are 70 properties that are being mowed on a regular basis and the homeowners are being assessed for the charges.

Councilmember Gassman inquired regarding whether all of the complaints are coming through OS Ticket. Chief Brown stated that there are quite a few coming in that way.

Battalion Chief Jeff Chapman advised the Council that they are trying to steer everyone to OS Ticket which allows them to see the progress being made until the ticket is closed. He stated that this spring there are 57 grass and weed nuisances pending re-inspection, 19 pending inspections, 14 pending letters, 9 demos, 4 chimney demos, 41 inoperable vehicles, 93 garbage and 16 stop work notices. He continued in stating that there were 47 complaints on Monday and 28 additional on Tuesday. He further stated that when a complaint is made an investigation is done and the property is posted for 5 days. A notice must be sent by certified mail to the property owner and after 5 days a re-check is performed and if the nuisance still exists, the grass is cut. He proceeded to state that once a bill is sent the property owner has 30 days to pay before it is sent to the County.

Councilmember O'Neill inquired regarding whether the process is bound by ordinance. City Administrator Kinser stated that this is due process. City Attorney Patrick O'Connell stated that the lien process is accurate. He continued in stating that there are other ways to proceed against a property owner by seeking judgements or by municipal infractions; however, there is some expense involved. City Administrator Kinser stated that the City cannot proceed against the property owners of the auto cut properties when there is no one there. She further stated that she did not think the problem is citizens who do not care, but rather abandoned properties.

Councilmember Seeley inquired regarding why the City must send the letters certified. City Administrator Kinser stated that they must be sent certified the first time. Battalion Chief Chapman stated that the Post Office has three opportunities to serve the property owner with the certified letter. Councilmember Seeley stated that since most properties are auto cut the burden should slow down. Why have someone hired in July when this only began this year. City Administrator Kinser stated that the position would be re-evaluated during the FY18 budget discussions. She continued in stating that there are other nuisances the person could address. Battalion Chief Chapman stated that most everyone in the office is cross-trained and if someone sees something they take a picture and send it to the nuisance inspector. Councilmember Seeley stated that the Council should figure out a way for persons to take pride in the community. This is just a band aid. Mayor Vulich stated that the current nuisances must be addressed and then the City should

work to get the property owners to keep them up. Battalion Chief Chapman stated that there are over 100 abandoned buildings in Clinton. Mayor Vulich stated that some are in foreclosure and others are for sale. He inquired regarding whether the notices could be sent to the real estate companies. Battalion Chief Chapman stated that some are sent to the real estate companies; however, many do not respond. There is \$14,800.00 in spring invoices from Hometown Landscaping.

Councilmember O'Neill stated why should the Council spend five to six weeks discussing the budget only to have a department come back later with a request. This should have been discussed during the budget process. This should have been a budget item.

Councilmember Allesee stated that the Council did not know about the surplus during budget discussion and would not bring the request forward if there are potential cuts. Councilmember O'Neill stated that just because there is a surplus does not mean that the first department to ask gets their request. Mayor Vulich stated that last year the City dealt with the nuisance issue; however, this year there has been a lot of rain and the problem got worse. In January this was not at the top of the list for discussion. Councilmember Allesee suggested that this be brought forward during next year's budget discussions. Chief Brown stated that the Department Heads were asked not to request additional staff during budget discussions. No one in the BNS Department is complaining, this is citizen-driven. Councilmember O'Neill stated that anything should be brought up during budget discussions, no one should be told they cannot bring something up.

Councilmember Seeley inquired regarding who takes before and after pictures. Battalion Chief Chapman stated that Marie takes the before picture and the company mowing the property takes the after picture.

Councilmember Seeley stated that the City should discuss a Community Driven Nuisance Abatement Commission during a Committee of the Whole meeting.

Councilmember Determann inquired regarding whether the adjoining property owners take care of some of the properties. Battalion Chief Chapman stated that some do. Councilmember O'Neill stated that the City should discuss a way to incentivize the neighbors to take care of adjoining properties.

M/S, Allesee-Gassman moved to forward the request for part-time nuisance inspector position to the next City Council meeting agenda. On roll call, carried unanimously.

2. Request for Assignment of Tax Certificates – Jessica Kinser

City Administrator Kinser advised that Council that she has been working with the County Treasurer and Lynch Dallas regarding the number of tax certificates the City holds. She stated that one of the possible areas of solution was to determine if the County holds any tax certificates on properties which are of interest to adjacent property owners. The City then notifies the County we wish to obtain the tax certificates. Assuming the Board of Supervisors approves, the County will assign the requested tax certificates to the City. Following the assignments, the City will issue notices to owners and other interested parties indicating their right to redeem the subject properties will expire if not exercised within 90 days. If unredeemed within the 90 day period, the City will be entitled to receive treasurer's deeds and the abatement of unpaid taxes by the County Supervisors. She continued in stating that she has been able to identify properties at 617 3rd Avenue South, 2026 McKinley Street, a property on Beaver Island, 212 2nd Avenue South and 1427 25th Avenue South which are of interest to adjacent owners. If the City were to obtain title to these properties, we would eventually dispose of them through a sealed bid process. She further stated that this is not a quick process; however, it is a start to get the properties back on

the tax rolls. She proceeded to state that she was looking for a resolution directing staff to proceed with contacting the County to request assignment of the tax certificates for the properties and authorizing the Mayor and City Attorney to take necessary steps to effectuate transfer of title. Councilmember O'Neill inquired regarding whether there will be sewer and solid waste bills which will be written off. City Administrator Kinser stated that when the bill goes to lien it becomes a special assessment. She continued in stating that she would need to go back and do a breakdown of each. Councilmember Gassman requested a report on each property.

M/S, Gassman-Seeley moved to forward the request for assignment of tax certificates to the next City Council meeting agenda. On roll call, carried unanimously.

3. New Liquor License – Buffalo Wild Wings – Pat Van Loo

City Clerk Pat Van Loo advised the Council that Buffalo Wild Wings has completed their liquor license application and has complied with all City and state requirements. She stated that she is looking for Council approval of this license so as not to delay the company's proposed opening date.

M/S, Determann-Seeley moved to forward the new liquor license for Buffalo Wild Wings to the next City Council meeting agenda. On roll call, carried unanimously.

4. Strategic Plan Update- Goal 3 – Jessica Kinser

City Administrator Kinser provided the Council with an update of the Strategic Plan, Goal #3. She advised that Objective #1 addresses the initiatives that contribute to the physical and environmental health and sustainability of the City and its residents such as development of a sustainability plan, continued funding of the Pavement Management Program, continued search for funding alternatives for the Long Term Control Plan for 2019 and beyond and continued attention to nuisance issues and removal of dilapidated buildings. Councilmember Gassman suggested adding recycling to objective #1.

City Administrator Kinser advised that Objective #2 addresses consideration of initiatives that contribute to the economic health of the City by continuing to develop and promote the Lincolnway Industrial Rail and Air Park, Continuing to develop and promote the Lyons Business and Tech Park, Continuing to work with existing groups to promote Clinton as the community of Choice for Thomson Prison employees, developing a strategy for development on Liberty Square, review and update of the Urban Renewal Plans of the City, Continuing to work with the CRDC on an economic development strategy and marketing, Developing an economic incentive policy and Developing a plan for selling City-owned lots in South Clinton. Councilmember Gassman stated that the City should rehabilitate homes instead of tearing them down. Councilmember Determann stated that people do not want to apply for funding for rehabilitation. The homes must be owner-occupied and most are rentals. Mayor Vulich stated that the City should develop a plan to preserve and maintain properties. City Administrator Kinser stated that there is tax abatement available. Councilmember Seeley stated that this should be communicated to the citizens. Councilmember O'Neill stated that when the selling of lots in South Clinton is brought forward the City should be paid the prices that others received there and not give the properties away.

City Administrator Kinser advised that Objective 3 addresses consideration of initiatives that contribute to the development and enhancement of the community such as development of a plan for utilizing TIF-LMI dollars, Continuing to work with the Downtown Alliance and Lyons Business and Professionals Association to enhance grassroots efforts, working with the Chamber on marketing/image campaign for the City, continuing to offer high quality recreational opportunities

and destinations, continuing to promote the Building Code and Rental Code, adoption of an Urban Forest Management Plan, enhancement of bike-ability and walk-ability of the City, enhancement of historic preservation efforts and enhancement of ADA accessibility of the City. Councilmember O'Neill stated that historic preservation should have some exemptions from the codes. City Administrator Kinser stated that the City has a points system. Councilmember Seeley stated that the Showboat needs extensive work sooner rather than later. City Administrator Kinser stated that there are currently two pending projects, the replacement of the upper deck and soundproofing. Councilmember Seeley stated that the riverfront is the City's best amenity and we must look at the big picture regarding how best to use the space that is there. It will require a lot of work and the City should begin to get a plan together. Councilmember Gassman stated that there is a \$.5 million deficit in Parks. City Administrator Kinser stated that the increase in fees could be an answer. She continued in stating that she is beginning the conversation regarding liquor at Eagle Point Lodge. Councilmember Gassman stated that the City needs a program relating to sprinklers. Councilmember O'Neill stated that the stand pipe fee is prohibitive to business owners. Mayor Vulich stated that comparisons with Davenport and Iowa City should be done to see what they do with their fire codes. City Administrator Kinser stated that Iowa American Water Company is flexible with how water gets to a building. If there are five entities in a building, they can share the charge. Mayor Vulich stated that this is an impediment to the downtown.

5. Mayor & Council Member Updates

Mayor Vulich advised that he, along with Councilmembers Allesee and Determann and members of the CRDC went to Fort Dodge. He stated that Fort Dodge has a certified industrial park and a redeveloped downtown. He continued in stating that they went to learn how to work cooperatively with the county and other cities. He further stated that it was the suggestion of the Governor that they make this visit and they came back with some good ideas.

M/S, Determann-O'Neill moved to adjourn. All in favor.

Respectfully Submitted,

Pat Van Loo
City Clerk